

RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEN WEEKLY and MACK

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, CITY CLERK BARBARA JO (RONI) RONEMUS, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:
Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizens Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Pkwy
Court Clerk's Bulletin Board, City Hall
City Hall Plaza, Posting Board

(4:04)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-141 – Adjusts the ward boundaries of the City to reflect annexations and precinct adjustments. Proposed by: Barbara Jo Ronemus, City Clerk

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will adjust the ward boundaries of the City to reflect annexations and precinct adjustments.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-141

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-141 be forwarded to the Full Council with a “Do Pass” recommendation. **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CITY CLERK BARBARA JO (RONI) RONEMUS explained that this is a housekeeping measure as a result of the redistricting. The precincts being added are due to annexations. Two precincts were deleted because they were incorporated into two other precincts by the Clark County Election Department. She recommended approval.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:04)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-137 – Annexation No. A-0030-02(A) – Property location: On the south side of Grand Teton Drive, 1,030 feet east of Puli Road; Petitioned by: Charles Koras and Vangel Dimanin; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the south side of Grand Teton Drive, 1,030 feet east of Puli Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 17, 2003) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-137 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-137 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-138 – Annexation No. A-0036-02(A) – Property location: On the northeast corner of Craig Road and Puli Road; Petitioned by: Mr. & Mrs. Slavko Brzica; Acreage: 5.53 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Craig Road and Puli Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 17, 2003) is set by this ordinance.

NOTE: This parcel is designated as Low Density Residential in the Lone Mountain West Master Plan.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-138 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-138 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED indicated that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-139 – Annexation No. A-0039-02 (A) – Property location: On the northeast corner of Fort Apache Road and Rome Boulevard; Petitioned by: George Lee Reynolds Estate; Acreage: 5.07 acres; Zoned: R-E (County zoning), U (M-TC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Fort Apache Road and Rome Boulevard. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 17, 2003) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-139 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-139 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-140 – Revises the licensing requirements and regulations pertaining to erotic dance establishments and entertainers who perform therein. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill represents the efforts of the City's licensing staff over the last number of years, in cooperation with the Las Vegas Metropolitan Police Department and the erotic dance industry, to update the City's licensing regulations that apply to that industry. The bill requires entertainers to obtain a business license instead of a work card. The bill also clarifies certain limitations on the operation of erotic dance establishments and the types of conduct that may occur therein.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-140

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-140 be held in abeyance to the 1/6/2003 Recommending Committee meeting. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

JIM DiFIORE, Business Services Manager, requested that discussion of this item be held until January 6, 2003. A commitment has been made to meet with the industry to review their concerns.

RECOMMENDING COMMITTEE MEETING OF DECEMBER 16, 2002

City Attorney

Item 5– Bill No. 2002-140

MINUTES – Continued:

DR. JEFFREY ARENSWALD, dermatologist, 5120 S. Pecos Road, appeared to express his opposition to the rules and regulations adopted by the County and to urge the City not to do the same. Many of the girls are his patients and they are not coming to Las Vegas any longer. This type of action impacts others within the community. Anything that makes it difficult for dancers to come into town at a moment's notice diminishes the town's economy. Further these types of regulations make Las Vegas a target of ridicule and bad publicity. It is important for the City to understand the difference between acting sexy versus a sex act. Rather than harassing these dancers, the community should be offering incentives such as free bus service.

COUNCILMAN MACK complimented MR. DiFIORE for providing for input from the industry and allowing for a buy-in by the dance industry. DR. ARENSWALD protested that the buy-in is by the attorneys representing the clubs and not by the dancers, the customers or the people that live in the community. The club owners will agree with anything just to keep from being shut down.

COUNCILMAN WEEKLY pointed out that there will be another public hearing on this matter on January 6, 2003, but this was just to establish a record. Before the City moves forward, it will reach out to the industry. There may be language or changes based on feedback from the dancers. All parties will be involved.

TOM McGOWAN observed that the doctor was well spoken on the issue. He recommended research and clarification of the type of dance involved. The crux of the matter is the broad range of the impact of this type of regulation. Full input from all parties must be obtained in order for the elected officials to maintain their integrity. There is a lot of work necessary for this before it goes to the Council.

COUNCILMAN WEEKLY stressed that the things that are most appreciated about MR. DiFIORE is his fairness, capability and that he does his homework.

ANDREA HACKETT, President of the Las Vegas Dancers Alliance, stated that her organization represents nearly 1,000 dancers in the Valley. It is not surprising that the clubs support this regulation, as it would add credibility to their argument that dancers are independent contractors and not employees of the clubs. That creates a sweet tax deal. But the reality is that the clubs dictate schedule, hours, clothing and everything else the same as with any other employer/employee arrangement. The organization is absolutely opposed to this work tax. A word card process already requires an FBI background check. This proposed regulation will not improve that background check. It was also pointed out that the Las Vegas Metropolitan Police Department (Metro) is already enforcing this regulation, even though it has not yet been passed.

RECOMMENDING COMMITTEE MEETING OF DECEMBER 16, 2002

City Attorney

Item 5– Bill No. 2002-140

MINUTES – Continued:

Metro is offering the entertainer card, threatening women with arrest and ticketing them and demanding \$35 for this new card, regardless of whether the existing work card has expired. The organization, along with the ACLU, is willing to file suit against this regulation. She summarized a packed meeting held the previous day on this matter addressing the situation. This is a town that sells booze, gambling and dancing. She outlined the lack of restrictions for dancers elsewhere in the country.

DR. ARENSWALD added a comment that the security of the dancers needs to be considered. The licensing process could reduce their anonymity.

COUNCILMAN WEEKLY repeated that the sensitive matter required additional time and industry/community input and apologized for the inconvenience to those who appeared at this meeting. COUNCILMAN MACK also offered to make his office available for appointments for additional discussion on this matter.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:07)

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**RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

TOM McGOWAN, Las Vegas resident, read and submitted his written comments, a copy of which is made a part of the Final Minutes, regarding the clean-sweep efforts of the Las Vegas Metropolitan Police Department as being commendable as a well-intended effort to address crime downtown but appalling as a violation of constitutional rights. He also thanked COUNCILMAN WEEKLY for scheduling an appointment to discuss this proposal.

(4:22 – 4:26)

1-571

THE MEETING ADJOURNED AT 4:26 P.M.

Respectfully submitted: _____

GABRIELA S. PORTILLO-BRENNER
December 19, 2002